



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
Authorized Agent for Secured Creditor
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Shauna Deluca, Esq. (SD-8248)

In Re:

**Adalberto Vasquez,
Debtor.**

Order Filed on April 20, 2021
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-16325-SLM

Chapter: 13

Hearing Date: April 14, 2021

Judge: Stacey L. Meisel

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY AND OBJECTION TO APPLICATION FOR
EXTENSION OF LOSS MITIGATION**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: April 20, 2021

A handwritten signature in black ink, appearing to read "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Secured Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY, SOLELY AS TRUSTEE FOR HARBORVIEW MORTGAGE LOAN TRUST MORTGAGE LOAN PASS-THROUGH CERTIFICATES, SERIES 2006-8

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtor's Counsel: Martone & Associates

Subject Property: 101 East Madison Avenue, Dumont, NJ 08527

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion and Objection to Debtor's Request to Extend Loss Mitigation are resolved, subject to the following conditions:

1. Status of post-petition arrearages as of March 31, 2021:

- The Debtor is due for 24 months from April 1, 2019 through March 1, 2021
- The Debtor is overdue for 5 payments from April 1, 2019 through August 1, 2019 at \$3,407.68 per month.
- The Debtor is overdue for 13 payments from September 1, 2019 through September 1, 2020 at \$3,433.58 per month.
- The Debtor is overdue for 6 payments from October 1, 2020 through March 1, 2021 at \$3,457.29 per month.

Funds Held In Suspense \$0.00

Total Arrearages Due \$82,418.68

2. Debtor must cure all post-petition arrearages, as follows:

- The Debtor shall apply for and secure a Short Sale of the Subject Property on or before July 1, 2021 (the "Deadline"). Any sale of the Subject Property is subject to Secured Creditor's approval.
- Beginning on April 1, 2021, monthly adequate protection payments shall be made directly to Secured Creditor in the amount of \$2,752.45 while the Short Sale is pending. Should the Debtor fail to make any payment more than thirty (30) days late counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney, and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ Secured Creditor shall not demand the outstanding post-petition arrearages owed through March 2021, pending the Debtor's application for a Short Sale. However, if a Short Sale is not approved on or before the Deadline, Debtor shall have ten (10) days to cure all outstanding post-petition delinquencies or Secured Creditor shall be entitled to immediately file a Certification of Default. Further, if the Debtor is denied a Short Sale, the Debtor shall have ten (10) days to either file a Modified Plan to surrender the Subject Property or cure all outstanding post-petition delinquencies owed, or Secured Creditor shall be entitled to immediately file a Certification of Default. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

3. This Order shall be incorporated in and become a part of any Order confirming the Chapter 13 Plan.

4. In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.
The fees and costs are payable:
 - Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.

Christopher S. Martone, Esq.
Christopher S. Martone, Esq.
Attorney for Debtor
Date: 4/14/21

/s/ Shauna M. Deluca
Shauna M. Deluca, Esq.
Attorney for Secured Creditor
Date: April 14, 2021

In re:
Adalberto Vasquez
Debtor

Case No. 19-16325-SLM
Chapter 13

District/off: 0312-2
Date Rcvd: Apr 21, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 23, 2021:

| Recip ID | Recipient Name and Address |
|-----------------|---|
| db | + Adalberto Vasquez, 101 E Madison Ave, Dumont, NJ 07628-2419 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 23, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 21, 2021 at the address(es) listed below:

| Name | Email Address |
|--------------------------|---|
| Aleisha Candace Jennings | on behalf of Creditor Deutsche Bank National Trust Company ajennings@raslg.com |
| Christopher S. Martone | on behalf of Debtor Adalberto Vasquez martonetlaw@gmail.com |
| Denise E. Carlon | on behalf of Creditor Toyota Lease Trust dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com |
| Kevin Gordon McDonald | on behalf of Creditor Toyota Lease Trust kmcDonald@kmllawgroup.com bkgroup@kmllawgroup.com |
| Marie-Ann Greenberg | magecf@magtrustee.com |
| Shauna M Deluca | on behalf of Creditor Robertson Anschutz, Schneid, Crane & Partners, PLLC sdeluca@raslg.com |

District/off: 0312-2

User: admin

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Date Rcvd: Apr 21, 2021

Form ID: pdf903

Total Noticed: 1

Shauna M Deluca

on behalf of Creditor Deutsche Bank National Trust Company sdeluca@raslg.com

Sindi Mncina

on behalf of Creditor Deutsche Bank National Trust Company smncina@raslg.com

U.S. Trustee

USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 9